

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

CYNTHIA WETZEL, on behalf of herself  
and all other New Mexico consumers similarly situated,

Plaintiff,

v.

No. 1:20-cv-1213 DHU/KRS

DIESTEL TURKEY RANCH,

Defendant.

**ORDER GRANTING JOINT MOTION TO EXTEND DEADLINES FOR  
CLASS CERTIFICATION DISCOVERY AND MOTIONS**

**THIS MATTER** is before the Court on the parties' Joint Motion to Extend Deadlines for Class Certification and Discovery, (Doc. 63). The parties agree the class certification deadlines should be extended, but dispute the length of the extensions. For example, Plaintiff requests a 45-day extension of the deadline for class discovery, and Defendant requests a four-month extension to ensure it can complete the electronic discovery production in full. (Doc. 63) at 2. In addition, Plaintiff requests that the class certification motion be due "30 days after this Court rules on [] discovery motions," while Defendant seeks a specific date of March 10, 2023 for the filing of a class certification motion. *Id.* at 3.

The Court has considered the parties' Motion to Extend Deadlines and the record of the case. Because a ruling on Defendant's Motion to Dismiss, (Doc. 7), may dispose of the entire case or limit the issues that must be addressed in class certification, and because the parties are engaged in negotiations over the production of electronically stored data, the Court agrees with Defendant that a longer extension of the deadlines is appropriate at this point in the case. The Court will set a deadline of March 10, 2023 for Plaintiff to file a motion for class certification,

and the parties may file to extend that deadline if there is outstanding discovery they need in order to brief the motion. The response to the class certification motion will be due 21 days after the motion is filed, and the reply will be due 14 days after the response.

**IT IS THEREFORE ORDERED** that the class certification deadlines are extended as follows:

- (a) Termination of Class Discovery: **January 20, 2023;**
- (b) Class Certification Discovery Motions: **February 10, 2023;**
- (c) Motion for Class Certification: **March 10, 2023;**
- (d) Response to Motion for Class Certification: **March 31, 2023;**
- (e) Reply to Motion for Class Certification: **April 14, 2023.**

**IT IS SO ORDERED.**



---

KEVIN R. SWEAZEA  
UNITED STATES MAGISTRATE JUDGE